



VILLAGE OF JOHNSON CITY

MUNICIPAL BUILDING
243 MAIN STREET, JOHNSON CITY, NY 13790

www.villageofjc.com

Village Board

Gregory Deemie, Mayor

Deputy Mayor Clark Giblin Trustee Martin Meaney

Trustee Benjamin Reynolds Trustee John Walker

Minutes of a Regular Meeting of the Johnson City Village Board held on Tuesday, February 18, 2020 in the Municipal Building, 243 Main Street, Johnson City

Present: Gregory Deemie, Mayor
 Clark Giblin, Deputy Mayor
 Benjamin Reynolds, Trustee
 John Walker, Trustee

Absent: Martin Meaney, Trustee

Also Present: Cheryl Sacco, Legal Counsel
 Cindy Kennerup, Clerk/Treasurer

Mayor Deemie called the meeting to order at 7:30pm, led the Pledge of Allegiance and noted the fire exits.

MAYOR'S ANNOUNCEMENTS

- [1] The Village of Johnson City Planning Board meeting will be held on Tuesday, February 25, 2020 at 7:30pm with a work session as 7:00pm.
- [2] The Broome County Association of Towns and Villages meeting will be held on February 27 at Atrio Buffet, 406 Hooper Road, Endwell, NY at 6:00pm.
- [3] The next regular Village Board Meeting will be Tuesday, March 3, 2020 at 7:30pm with a work session at 5:00pm.
- [4] Congratulations to Matthew Pope on earning Eagle Scout for Troop 110.

APPROVAL OF BOARD MINUTES

- [1] Minutes of February 4, 2020 regular meeting and work session

A motion to approve the minutes of February 4, 2020 was made by Trustee Walker and seconded by Trustee Reynolds. The motion carried with all those present voting in the affirmative.

BIDS– None

PUBLIC HEARINGS– None

PETITIONS RECEIVED – None

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the first privilege of the floor.

Chris Waters, Adams Ave – What was wrong with the heat at the DPW and what was the final cost?

Mayor Deemie responded they put in temporary heating and then they replaced it. He believes it was in the \$60,000-\$70,000 range. They are looking into retrofitting it for use in the new facility.

Carol Laskoski, Edwards St – She saw a poster regarding protecting the drain source. How does she know it's the drain source? She cleans off the one in front of her house all the time.

Mayor Deemie answered usually there is one that is attached to the storm drain and it says drains to the river. He thanked her for cleaning it off as it not only helps her but everyone.

Mike Tugwell, Greenridge Street – Resolution #44

Mayor Deemie explained it was short term and we are going to long term. There were issues with seams on the bridge and issues with sidewalk which was done a couple years ago.

Lurline Crampton, Riverside Drive – Any chance we are going to have a tire collection? What is an alternative?

Mayor Deemie stated he cannot guarantee it, but will see if they can get one in the spring. You can take them to the landfill, but they will charge for each tire.

Mayor Deemie closed the first privilege of the floor.

COMMUNICATIONS – None

COMMITTEE/BOARD REPORTS

A motion to accept and file the following Committee/Board Reports was made by Trustee Giblin and seconded by Trustee Walker. The motion carried with all those present voting in the affirmative.

- [1] Code Enforcement - *No report submitted*
- [2] Court – *No report submitted*
- [3] Joint Sewage Treatment Board Reports dated January 31, 2020
- [4] Joint Sewage Treatment Board Reports dated February 10, 2020
- [5] Your Home Public Library February 11, 2020 Agenda
- [6] Library Director's Report dated January 13, 2020
- [7] Newsletter - *No report submitted*
- [8] Planning – *No report submitted*
- [9] Public Safety - *No report submitted*
- [10] Public Works – *No report submitted*
- [11] Zoning – *No report submitted*

DEPARTMENT REPORTS

A motion to accept and file the following Department Reports was made by Trustee Walker and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

- [1] Police Department Overtime Report for the weeks of November 14 – November 27, 2019
- [2] Police Department Overtime Report for the weeks of November 28 – December 11, 2019
- [3] Police Department Overtime Report for the weeks of December 12 – December 25, 2019
- [4] Police Department Overtime Report for the weeks of December 26, 2019 – January 8, 2020
- [5] Police Department Overtime Report for the weeks of January 9 – January 22, 2020
- [6] Fire Department Overtime Report for the weeks of January 23 – February 5, 2020
- [7] Police Department Overtime Report for the weeks of January 23 – February 5, 2020
- [8] Town of Union Board Meeting Minutes dated January 15, 2020
- [9] DPW & Water Dept Monthly Reports for November 2019, December 2019 & January 2020

PAYROLL AND BILLS PRESENTED

A motion to approve Abstract #15 of the 2019 – 2020 fiscal bills as stated and/or amended and attached to the work session minutes and recorded as part of the work session minutes, having been audited by the Board and approved, was made by Trustee Walker and seconded by Trustee Giblin. The motion carried with all those present voting in the affirmative.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

GENERAL FUND	\$501,750.83
WATER FUND	\$46704.42
SEWER FUND	\$8,661.82
REFUSE FUND	\$34156.89
JSTP	\$375,710.35
VARPUR	\$0
CAPITAL	\$0
DEBT SERVICE	\$0

UNFINISHED BUSINESS

Resolution #2020 – 38

A motion to table the following resolution until further notice was made by Mayor Deemie and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

In accordance with Village Law section 6-624, the Village hereby designates 219 Main Street, Johnson City to be park land.

NEW BUSINESS

FINANCE & RULES (All Board Members)

Resolution #2020 – 44

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

AMENDATORY BOND RESOLUTION DATED FEBRUARY 18, 2020.

A RESOLUTION AMENDING A BOND RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, IN CONNECTION WITH THE CONSTRUCTION OF IMPROVEMENTS TO ARCH STREET BRIDGE IN AND FOR SAID VILLAGE, TO EXTEND THE MAXIMUM MATURITY OF BONDS AUTHORIZED TO BE ISSUED BEYOND FIVE YEARS.

WHEREAS, the Board of Trustees of the Village of Johnson City, Broome County, New York, duly adopted a bond resolution on August 18, 2015, authorizing the issuance of an aggregate \$2,650,000 bonds of said Village to pay the cost of the construction of improvements to Arch Street Bridge, in and for said Village, at a total maximum estimated cost of \$2,650,000; and

WHEREAS, such bond resolution restricts the maximum maturity of the bonds to five years; and

WHEREAS, it is now desired to remove such restriction and authorize the financing over the period of probable usefulness assigned thereto; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Board of Trustees of the Village of Johnson City, Broome County, New York, as follows:

Section 1. The bond resolution set forth in the preambles is hereby amended to provide that the maximum maturity of the bonds therein authorized will be twenty years and will thus exceed five years with respect to the issuance of the bonds authorized therein.

Section 2. Upon this resolution taking effect, the same shall be published in full in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 3. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Resolution #2020 – 45

A motion to approve the following resolution was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

AMENDATORY BOND RESOLUTION DATED FEBRUARY 18, 2020.

A RESOLUTION AMENDING A BOND RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, IN CONNECTION WITH THE RECONSTRUCTION/RESURFACING OF ROADS IN AND FOR SAID VILLAGE, TO EXTEND THE MAXIMUM MATURITY OF BONDS AUTHORIZED TO BE ISSUED BEYOND FIVE YEARS.

WHEREAS, the Board of Trustees of the Village of Johnson City, Broome County, New York, duly adopted a bond resolution on August 18, 2015, authorizing the issuance of an aggregate \$771,000 bonds of said Village to pay the cost of the reconstruction/resurfacing of roads, including sidewalks, curbs, gutters, drainage, landscaping and other incidental improvements, in and for said Village, at a total maximum estimated cost of \$771,000; and

WHEREAS, such bond resolution restricts the maximum maturity of the bonds to five years; and

WHEREAS, it is now desired to remove such restriction and authorize the financing over the period of probable usefulness assigned thereto; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Board of Trustees of the Village of Johnson City, Broome County, New York, as follows:

Section 1. The bond resolution set forth in the preambles is hereby amended to provide that the maximum maturity of the bonds therein authorized will be fifteen years and will thus exceed five years with respect to the issuance of the bonds authorized therein.

Section 2. Upon this resolution taking effect, the same shall be published in full in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 3. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Resolution #2020 – 46

A motion to add Tioga State Bank to the list of Banks and Depositories for the Village for the year 2020 was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

Resolution #2020 – 47

A motion to approve the following resolution was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING CHAPTER 140 OF THE VILLAGE CODE ENTITLED ‘ELECTRICAL CODE OF THE VILLAGE OF JOHNSON CITY’”, a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:35 p.m. on March 3, 2020, at Village Hall, 243 Main Street, Johnson City, New York, and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Resolution #2020 – 48

A motion to approve the following resolution was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW

WHEREAS, a local law entitled “A LOCAL LAW AMENDING THE VILLAGE ZONING MAP” regarding 183 Marie Street, a copy of which is attached hereto, was introduced at this meeting, and

WHEREAS, the Village Code requires referral to the Planning Board for recommendation. The Village Board hereby refers it; and

WHEREAS, the Village Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Village Board of the Village of Johnson City with respect to the adoption of the aforesaid Local Law at 7:35 p.m. on March 3, 2020, at Village Hall, 243 Main Street, Johnson City, New York, and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Discussion: Mayor Deemie 183 Marie Street is where a house used to be next to the old veterinary hospital. They want to take that and make it a part of the whole parcel for Tioga State Bank. It has to be rezoned to match the other piece where the veterinary hospital was where the bank is going.

Resolution #2020 – 49

A motion to approve the following resolution was made by Trustee Giblin and seconded by Trustee Walker.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

In accordance with Village Law section 222-2(E), the Village shall hold a public hearing regarding sewer rents on March 3, 2020 at 7:35 p.m., and hereby authorizes publication of notice of said public hearing.

PUBLIC SAFETY

FIRE (Trustees Balles & Walker) - No new business

POLICE (Trustees Balles & Walker)

Resolution #2020 – 50

A motion to hold over the following resolution was made by Trustee Reynolds.

RESOLUTION OF THE Village of Johnson City

REQUESTING AMENDMENTS TO NEW YORK STATE'S CRIMINAL JUSTICE REFORMS

WHEREAS while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the *Village of Johnson City* supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the *Village of Johnson City* be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator *Fred Akshar* and Assembly Member *Donna Lupardo*, the New York State Conference of Mayors, and local media outlets.

Discussion: Trustee Reynolds discussed amendments, gave opinions and suggested getting more information and speaking with local district attorney. Mayor Deemie explained to Trustee Reynolds this should have been brought up previously while in discussions or at Work Session not at the Board Meeting. Trustee Reynolds wanted to make a motion to call a question. Attorney Sacco advised the Board has a policy that he cannot once it is held over.

PUBLIC WORKS (Trustees Balles & King) - No new business

RECREATION (Trustees Balles & King) - No new business

PLANNING, ZONING & CODE ENFORCEMENT (Trustees Balles & Walker) - No new business

JOINT SEWAGE TREATMENT BOARD ((Trustees Giblin & King)

Resolution #2020 – 51

A motion to authorize the Binghamton-Johnson City Joint Sewage Board’s request that the Owners pass legislation to amend the 2019 Budget to increase appropriations for Sick Time Buy-Back (J9089.58100) by \$7,655.15 with funds transferred from Health Insurance Buy-Out (J8130.58001C) and also increase appropriations for Unemployment Insurance (J9050.58000E) by

\$1,451.29 with funds transferred from Contingency (J8130.55000) was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

Resolution #2020 – 52

A motion to authorize the Binghamton-Johnson City Joint Sewage Board and City Comptroller’s request that the Owners pass legislation to amend the 2019 Budget to increase appropriations for JC – Reimbursement of Local Systems Cost (J8130.54000.JG) by \$29,234.59 with funds transferred from JC Reimburse Debt Service (J8130.54001.JG) and also Bing – Reimburse Local Systems Cost (J8130.54000.JZ) by \$313,188.36 with funds transferred from Bing – Reimburse Debt Service (J8130.54001.JZ) was made by Trustee Walker and seconded by Trustee Giblin.

Motion Carried – Vote:

Ayes – 4 (Reynolds, Giblin, Walker, Deemie) **Nays** – 0 **Absent** – 1 (Meaney)

PRIVILEGE OF THE FLOOR – VISITORS

Mayor Deemie opened the second privilege of the floor.

Chris Waters, Adams Ave – The City of Binghamton did an ice-skating rink. Will the Village look into this? We are taking away from the Village and not giving back.

Mayor Deemie responded no. Cost involved and big liability. Understands his point and is not opposed, but we had to borrow \$200,000 for a swimming pool that we plan on putting in this year. If he puts together a petition in support, the Board will look at it, but he can’t justify spending \$50,000 on an ice-skating rink. It would be nice to add those features to the Village, but there are other things we have to take care of too in regards to the need to look at the safety and well-being of the Village. Trustee Walker further stated that he has been over to the ice rink, it is refrigerated and it is very small, not worth putting his skates on.

Carol Laskowski, Edwards St –

- Started going to Town of Union meetings in 2009 and listened to two people begging for a place to skate. They froze part of the baseball field.

Mayor Deemie confirmed and stated they put down a temporary plastic rink and filled it with ice. It was only good about two weeks of the winter because of weather; rain, get too warm and melt. Unless it is refrigerated, which is also a cost to run equipment to refrigerate.

- Resolution #50, what would it be if it is not a misdemeanor or a felony?

Attorney Sacco stated it would be a violation such as Code Court.

Mayor Deemie closed the second privilege of the floor.

ADJOURNMENT

Mayor adjourned the meeting at 8:04 pm.

Cindy Kennerup
Village Clerk/Treasurer

CK/kc

Recordings of the Village Board meetings and work sessions
are available for review through the Village Clerk/Treasurer's Office.